

Docket No.: 50179-086

PATENT

O I P E J C I T  
APR 06 2004  
OFFICE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

|  |   |                             |
|--|---|-----------------------------|
| In re Application of   | : | Customer Number: 20277      |
| Thomas Charles ELLEMAN, et al.   | : | Confirmation Number: 9960   |
| Serial No.: 09/701,437   | : | Group Art Unit: 1631        |
| Filed: March 02, 2001  | : | Examiner: Marianne P. Allen |
| For: METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR FAMILY |   |                             |

**NOTICE OF APPEAL**  
**FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF APPEALS**

Mail Stop Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

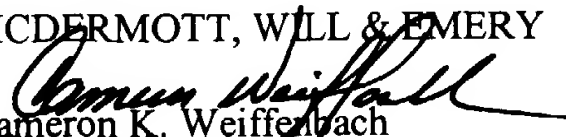
Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated September 22, 2003 of the Primary Examiner finally rejecting claims 1 and 54-75.

Appeal Fee:   \$ \$330.00

- ☐ Not required (fee paid in prior appeal in this application).
- ☒ Charge to Deposit Account No. 500417.
- ☐ Check Enclosed.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
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**Date: March 22, 2004**

Applicant: Thomas Charles ELLEMAN, et al.Docket No. 50179-086Title: METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR FAMILYSerial/Reg./Patent No. 09/701,437Date Sent: 3/22/2004 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No. \_\_\_\_\_☐ Transmittal LetterNew Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov☐ Other: \_\_\_\_\_

\_\_\_\_\_ pages of Specification

\_\_\_\_\_ pages of Claims

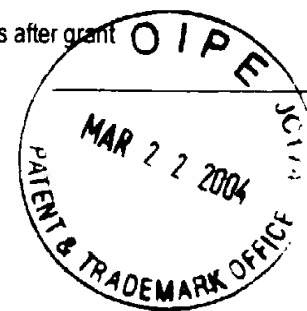
\_\_\_\_\_ pages of Abstract

\_\_\_\_\_ pages of Formal/Informal Drawings

☐ Small Entity ☐ Large Entity☐ Declaration/Power of Attorney☐ Recordation of Assignment/Security Agreement☐ Information Disclosure Statement

\_\_\_\_\_ Form PTO 1449

\_\_\_\_\_ copies of cited references

☐ Preliminary Amendment☐ Response to Missing Parts Notice☐ Resp. to Notice to Correct App. Papers☐ Certified Copy of Priority Doc.☐ Claim for Convention PriorityResponse/Amendment to Office Action of 9/22/03☐ Request for \_\_\_\_\_ month Extension of Time☐ Letter submitting \_\_\_\_\_ pages of drawings☐ Req. for Approval of Drawing Amendments☐ Req. for Oral Hearing☒ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief☐ Rule 312 Amendment/Letter☐ Req. for Acknowledgement of Cited Art☐ Issue Fee☐ Publication Fee☐ Req. for Certificate of Correction☐ Maintenance Fee for \_\_\_\_\_ years after grant☐ Fee Address Indication Form☐ Terminal Disclaimer☐ Petition to Commissioner☐ Status Inquiry☐ Other \_\_\_\_\_

|              |   |     |            |     |         |      |              |                     |
|--------------|---|-----|------------|-----|---------|------|--------------|---------------------|
| Check for \$ | <input checked="" type="checkbox"/> Charge Deposit Acct. 500417\$ | 330 | Atty Init. | CKW | Tkpr. # | 5169 | Secy. or PL: | CCollins/JR-Johnson |
|--------------|---|-----|------------|-----|---------|------|--------------|---------------------|

CMS Descrip.: 9 - \$330

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.